

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Legislative Meeting
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
July 22, 2001
9:30 a.m.

Executive Session: Yes

Called to Order: Meeting was called to order at 9:37 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Susan Wysocki, Treasurer Alice Yellowbank, Councilor Janet Shomin, Councilor Bea Law, Councilor Regina Bentley

Council Absent: None

Staff Present: See attached list

Guests: See attached list

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to accept the agenda of July 22, 2001 as amended.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the minutes of July 8, 2001 as corrected.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to enter the Phone Poll dated July 9, 2001 "to determine the Legal Entity that will build our government complex, we need a submission for the bids for the General Contractor or the Construction Manager in order to initiate bid process" into the record as General Contractor Chosen. Phone poll attached.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to enter the Phone Poll dated 7/9/01 "Plans and Specs for the government complex are attached" into the record as option 2 chosen. Phone poll attached.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Recess for Pipe Ceremony and Oath of Office swearing in of new council, 10:00 a.m. – 10:50 a.m.

Meeting proceeds with new council members, Rita Shananaquet, Alice Yellowbank and Fred Harrington.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept the Chairman's verbal report.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve a direct fax line for the newly elected councilor's Rita Shananaquet and Fred Harrington to include all other electronic equipment.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve the revised Indian Preference/Tribal Preference in the Construction Policy to include bids over 3 million dollars.

Vote: 6 Yes 1 No (Harrington) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to accept the \$500.00 check from Rehmann Robson as a donation to tribal youth programs.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to declare the Tribal Council position on the Economic Development Commission vacant.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to appoint Rita Shananaquet as the Tribal Council representative to the Economic Development Commission.

Vote: 4 Yes 3 No (Yellowbank, Chingwa, Wysocki) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to appoint Bea Law to fill the vacant position left from Wes Andrews to the Economic Development Commission.

Vote: 6 Yes 1 No (Yellowbank) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to appoint Dexter McNamara to a three-year term on the Gaming Regulatory Commission.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Public Comment opens at 12:53 p.m. – Frank Ettawageshik, Rosemary Knapp, Doris Adams.

Public Comment Closes at 1:02 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve resolution # 072201-01 for ground lease at WahWahNooDake Elders Housing with authorization for Chairman Chingwa and housing chairperson to sign the ground lease.

Roll Call Vote: Chingwa-yes, Anthony-yes, Yellowbank-yes, Wysocki-yes, Shananaquet-abstained, Shomin-yes, Harrington-yes.

Vote: 6 Yes 0 No 1 Abstained (Shananaquet) 0 Absent

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the Annual Performance Report and Indian Housing Plans with authorization for the Chairman's signature.

Vote: 6 Yes 0 No 1 Abstained (Shananaquet) 0 Absent

Motion Carried

Recess called at: 1:15 p.m. Meeting reconvened at 2:35 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve burial Request # A0018.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to approve burial request # A0019.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Harrington** to approve the Ad-Hoc Little Traverse Bay Bands Re-affirmation Day Celebration Committee.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Harrington** to sanction the Re-affirmation Day Celebration as a tribal event.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve mailing labels from enrollment to include cost of labels and postage from Enterprise Budget, other line item.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shananaquet** to cap the Small Grants fund at \$5,000.00.

Vote: 6Yes 1No (**Wysocki**) 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to review Small Grants quarterly with the first review in September.

Vote: 6Yes 1No (**Anthony**) 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Harrington** to approve the Small Grants fund Policy and Procedures with corrections.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to have the Chairman send an explanation letter along with the proposed constitution draft to all voting members for their review and comment.

Vote: 7Yes 0No 0Abstained 0Absent
Motion Carried

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Recess called at 4:15 p.m.

Meeting reconvenes at 4:21 p.m.

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to postpone the Alcohol and Drug Testing Policy.

Vote: 5Yes 2No (**Shananaquet, Shomin**) 0Abstained 0Absent
Motion Carried

Motion made by **Councilor Harrington** and **Supported** by **Councilor Yellowbank** to postpone the Law Enforcement Statute until August 19, 2001.

Vote: 7Yes 0No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve the Removal of Commissioners and Nepotism Statute with hearing board separate from council as amended.

Vote: 5Yes 2 No (**Shananaquet, Shomin**) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shananaquet** to postpone the Child Care Grant until the next Meeting on August 5, 2001.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Public Comment opens at: 6:06 p.m. No Public comment.

Public Comment closes at 6:07 p.m.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve a work session for the second phase of the Strategic Plan on August 6, 2001 at the Holiday Inn at 9:00 a.m. and a work session for Financial Strategic Plans on August 7, 2001 at 9:00 a.m. at the Holiday Inn to include mileage, stipend and lodging for Tribal Council.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Shomin** to approve the request of a donation in the amount of \$10,000.00 and a loan in the amount of \$32,585.00 to be paid back by December 31, 2001 to come from the Enterprise Budget, cultural line item from the General Fund for the Home Coming Pow Wow.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to authorize the Pow Wow Committee to send out the press release as presented.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to authorize the Tribal Administrator to sign the application, certifications and assurances for the pre-application of the Small Ambulatory program facilities, resolution #062801-01.

Vote: 6Yes 0 No 1Abstained (**Shananaquet**) 0Absent

Motion Carried

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Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Shomin** to approve resolution #072201-02 for Facilities Maintenance Agreement between Victories and Tribal Government.

Roll Call Vote: Chingwa-yes, Anthony-no, Yellowbank-no, Wysocki-yes, Shananaquet-yes, Shomin-yes, Harrington-no

Vote: 4Yes 3 No (**Harrington, Anthony, Yellowbank**) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to approve a payment in the amount of \$975.00 to Horizon Consultants to come from the Enterprise Budget, other line item.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Recess at: 7:30 p.m.

Meeting reconvenes at 7:37 p.m.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to go into executive session for personnel/legal at 7:38 p.m.

Vote: 5Yes 2 No (**Shananaquet, Harrington**) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to return to open session at 8:15 p.m.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Harrington** and **Supported** by **Councilor Yellowbank** to make Audrey Perry's resignation immediate with pay through August 31, 2001 with a severance package for 3 months pay.

Roll Call Vote: Chingwa-yes, Anthony-yes, Yellowbank-yes, Wysocki-yes, Shananaquet-no, Shomin-no, Harrington-yes.

Vote: 5Yes 2 No (**Shananaquet, Shomin**) 0Abstained 0Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to adjourn at 8:18 p.m.

Vote: 7Yes 0 No 0Abstained 0Absent

Motion Carried

These Minutes have been read and approved as written:

Approved:

Susan Wysocki, Tribal Council Secretary

Date